

## REMARKS

### INTRODUCTION:

In accordance with the foregoing, claims 13-17, 27, 29, 31, 44-46, and 52 have been canceled without prejudice or disclaimer, and claims 1-6, 10-12, 18-26, 28, 30, 32, 33, 36-43, 47-51, 53, and 54 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-12, 18-26, 28, 30, 32-43, 47-51, 53, and 54 are pending and under consideration.

### DEFICIENT OFFICE ACTION:

Applicant respectfully submits that the Examiner provides no basis to reject claim 32.

Accordingly, Applicant respectfully submits that any next-Office Action rejecting claim 32 cannot properly be made final.

### REJECTION UNDER 35 U.S.C. §§102 and 103:

In the Office Action, at page 2, item 2, the Examiner rejected claims 1-12, 17-27 and 44-50 under 35 U.S.C. §102(b) as being anticipated by Hwang et al., (US 5, 825,726 – hereinafter Hwang). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 10, item 3, the Examiner rejected claims 51-54 under 35 U.S.C. §102(b) as being anticipated by Faroudja (US 5, 754,248 – hereinafter Faroudja). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 12, item 4, the Examiner rejected claims 13-16, and 28-43 under 35 U.S.C. §103(a) as being unpatentable over Faroudja in view of Hwang. The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

Initially, Applicant respectfully submits that the Examiner appears to be misinterpreting Hwang. While Hwang mentions various disc formats, only one disc format can be employed for a given optical storage medium.

In contrast, using embodiments disclosed in the subject application, multiple data formats, which conventionally require separate, respective disc formats and therefore separate discs, can be employed on a single optical storage medium.

Faroudja discloses a "universal" recording and transmission system in which both 24 fps (or 25 fps) motion picture film sources and non-film interlaced or progressively-scanned video sources, employing any one of several international television standards (e.g., NTSC, PAL, HDTV/ATV, etc.), are all recorded or transmitted as progressively-scanned video at a nominal frame rate of 24 or 25 frames per second (i.e., 24 Hz or 25 Hz). (See Faroudja, e.g., at Abstract, and col. 2, lines 19-28).

Additionally, Faroudja discloses recording and reproducing coded bit streams on and from a recording medium with sufficient bandwidth, including DVDs. (See Faroudja, e.g., at col. 3, lines 5-14). But Faroudja specifically notes that details of the transmission or storage medium and the means for applying coded bit streams to and recovering coded bit streams from such transmission or storage media are conventional, and are not the subject of the invention of Faroudja. (See Faroudja, e.g., at Abstract, and col. 3, lines 15-19 and col. 6, lines 39-43).

Regarding independent claim 1, Applicant respectfully submits that Hwang neither discloses nor suggests "...selecting a disc recording format from a plurality of disc recording formats to record the data on the optical storage medium independent of a type of the optical storage medium...."

Regarding independent claim 4, Applicant respectfully submits that Hwang neither discloses nor suggests "...selecting separate ones of the plurality of disc recording formats for each of the corresponding data to record each of the data on the optical storage medium...."

Regarding claim 10, contrary to the Examiner's assertions, Applicant respectfully submits that since Hwang discloses a single format for a given optical disc, the TOC does not comprise directories for respective recording formats. Further, while the total table of contents of Hwang includes data for each of the sessions of the disc, Applicant respectfully submits that Hwang neither discloses nor suggests different disc recording formats on a given optical disc.

Regarding claim 28, Applicant respectfully submits that even the combination of Hwang and Faroudja neither discloses nor suggests "...the first region includes another disc recording format information regarding another one of the plurality of different disc recording formats, and the second region has other data encoded in the another one of the plurality of different disc recording formats."

Regarding claim 36, Applicant respectfully submits that even the combination of Hwang and Faroudja neither discloses nor suggests a controller determining a plurality of different disc recording formats on a single optical recording disc.

Regarding claims 47 and 49, as noted above, Applicant respectfully submits that Hwang neither discloses nor suggests employing a plurality of disc recording formats on an optical storage medium.

And regarding claim 51, Applicant respectfully submits that Faroudja neither discloses nor suggests "...the optical storage medium is of the type having a second disc recording format not compatible with the first disc recording format."

Accordingly, Applicant respectfully submits that the cited references, either alone or in combination, neither disclose nor suggest every element of the claims, arranged as required by the claims.

Thus, Applicant respectfully submits that independent claims 1, 4, 18, 28, 32, 36, 47, 49, and 51 patentably distinguish over the cited art and should be allowable for at least the above-mentioned reasons. Further, Applicant respectfully submits that claims 2, 3, 5-12, 19-26, 30, 33-35, 37-43, 48, 50, 53, and 54, which variously depend from independent claims 1, 4, 28, 32, 47, 49, or 51, should be allowable for at least the same reasons as claims 1, 4, 28, 32, 47, 49, and 51, as well as for the additional features recited therein.

#### CONCLUSION:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.


Serial No. 10/628,468

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 30 AUG 2006

By:   
Michael A. Bush  
Registration No. 48,893

1201 New York Avenue, NW, 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501